

Notice of Allowability

Application No.

09/936,968

Applicant(s)

NARUMI ET AL.

Examiner

Art Unit

Paul Huber

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the election filed October 20, 2004.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on 18 September 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

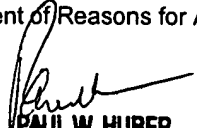
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12182001; 09252003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


PAUL W. HUBER
PRIMARY EXAMINER

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EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE

Applicant's election without traverse of Species I (figure 1, claims 1-15) in the reply filed on October 20, 2004 is acknowledged.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fuji and Spruit et al. each disclose a recording method/apparatus including a circuit for recording a test pattern.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification, page 1, between the title and "TECHNICAL FIELD" the following was inserted:

-- This application is a 371 of PCT/JP00/01589, filed March 15, 2000. --

Claims 17-38 and 49-51 were canceled.


The claims were canceled as being claims non-elected without traverse in the paper filed October 20, 2004.

The following is an examiner's statement of reasons for allowance: the prior art of record considered as a whole fails to teach or suggest a method for optically recording information in which recording and reproduction of information is performed in such a manner that a test recording is performed before recording an information signal on a rewritable optical information recording medium, wherein based on a front-end pulse edge position predetermined by a combination table of a preceding space length and a mark length and a back-end pulse edge position predetermined by a combination table of a mark length and a following space length, **a random pattern signal is recorded (a), a jitter or a bit error rate of the random pattern signal after being reproduced is measured (b), it is judged whether or not a value of the jitter or the bit error rate as a result of the measurement is higher than a fixed value (c), when the value of the jitter or bit error rate is judged to be higher than the fixed value, first test pattern signals are recorded (d), edge intervals of the first test pattern signals after being reproduced are measured (e), and based on results obtained by measuring the edge intervals, optimum values of the front-end pulse edge position and the back-end pulse edge position are determined (f).** (bold language emphasized)

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Paul Huber at telephone number 703-308-1549.



Paul Huber
Primary Examiner
Art Unit 2653

pwh
December 13, 2004